

Filed for intro on 02/13/95  
Senate Bill \_\_\_\_\_  
By \_\_\_\_\_

House No. HB1100  
By Clabough

AN ACT to amend Tennessee Code Annotated, Section 6-1-201  
and Section 6-52-201, relative to municipal government.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 6-52-201, is amended by designating the current language as subsection "(a)" and by adding the following new language, to be designated as subsection "(b)":

(b) IF an incorporated municipality was:

(1) chartered or incorporated under a private act,

(2) has a population not in excess of four hundred (400) according to the

1990 federal census or any subsequent federal census, and

(3) has not adopted home rule, THEN

the people of such municipality, who wish to surrender or abolish their charter, may do so in the same manner provided in this part for municipalities described within the provisions of subsection (a).

SECTION 2. Tennessee Code Annotated, Section 6-1-201, is amended by adding the following new subsection:

( ) Notwithstanding any provision of law to the contrary,

(1) IF any unincorporated territory includes a majority of the territory of a former municipality which:

(A) was incorporated under a private act;

(B) surrendered or abolished its charter pursuant to Section 8-52-201(b); and

(C) had, at the time of such surrender or abolishment, a population of less than four hundred (400) according to the most recent federal census; AND

(2) IF such unincorporated territory possesses at least three hundred (300) persons who are actual residents of such territory; AND

(3) IF the petition for incorporation is filed within three (3) years of the abolition of the former municipality; THEN

such incorporated territory may be incorporated under the provisions of this chapter even though such territory is within three (3) miles of an existing municipality.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring

it.

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